

AF/1654
IPW



PATENT
ATTORNEY DOCKET NO.: 056291-5039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
PEARS et al.)
U.S. Application No.: 09/889,414) Group Art Unit: 1654
Filed: November 13, 2001) Examiner: Meller, Michael V.
FOR: DRUG COMBINATIONS COMPRISING)
(E)-7-[4-(4-FLUOROPHENYL)-6-)
ISOPROPYL-2-)
[METHYL(METHYLSULFONYL))
AMINO]PYRIMIDIN-5-YL](3R,5S)-)
3,DIHYDROXYHEPT-6-ENOIC ACID AND)
AN INHIBITOR, INDUCER OR)
SUBSTRATE OF P450 ISOENZYME 3A4)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: December 1, 2004

Sir:

NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the
Final Office Action dated June 1, 2004 rejecting claims of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ A timely response to the final rejection was filed on November 1, 2004.
2. ☒ Notice of Appeal Fee enclosed: \$ 340.00

12/02/2004 HDEMESS1 00000033 500310 09889414

01 FC:1401 340.00 DA
02 FC:1253 550.00 DA

3. ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of 3 months.

An extension for 2 months has already been secured and the fee paid. Therefore, the amount of \$430.00 is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$ 550.00

4. ☒ Total Fees Due: \$ 890.00

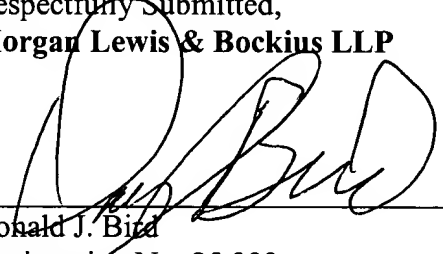
5. ☒ **The Commissioner is hereby authorized to charge \$890.00 to Deposit Account No. 50-0310 for Notice of Appeal Fee (\$340.00) and Third Month Extension of Time Fee (\$550.00).**

6. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: December 1, 2004
Morgan Lewis & Bockius LLP
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